

Rule 9070-1

EXHIBITS

(a) Prior to an evidentiary hearing or trial of an adversary proceeding or a contested matter, counsel for the parties shall mark and list any exhibits proposed to be introduced into evidence in compliance with this rule.

(b) Each exhibit shall be tagged separately with a tag containing the following information:

Rec. as _____	Ex. No. _____
For I.D. ____ or Evidence ____ (Ck. One)	
Case No. _____	Adv. No. _____
Attorney Submitting _____	
Party Submitting _____	
This ____ day of _____, 20____.	
By: _____, Deputy Clerk	

(c) Exhibits should be identified numerically commencing with number 1.

(d) All exhibits must be listed, in order, on a separate sheet of paper which shall include the case number, adversary number, debtor's name, designation as to plaintiff and defendant, and columns with the following headings: For I.D., In Evidence, Exhibit Number, Plaintiff, Defendant, Description.

(e) The original and one copy of the documentary exhibits and listing of exhibits shall be furnished to the Clerk at the commencement of the hearing or trial. An additional copy shall be made available for use by witnesses. In addition, copies of all documentary exhibits and the listing of exhibits shall be exchanged between counsel.

(f) All exhibits produced at hearing or trial which are not premarked shall be tendered to and marked by the Clerk as they are presented in evidence.

(g) Counsel will offer photographs with exhibits other than documents and will offer 8 1/2 x 11 inch reductions along with documentary exhibits larger than 8 1/2 x 14 inches. Counsel will attach exhibit tags to both exhibits and substitutes, identifying corresponding exhibits and substitutes with the same number. Unless the Court orders otherwise, at the conclusion of the trial or hearing at which the exhibits are offered, if the clerk has custody of substitutes, the clerk will return the corresponding original exhibits to counsel.

(h) If an appeal is taken, substitutes will be included in the record on appeal.

(i) Upon the expiration of thirty (30) days after an order or judgment concluding a contested matter or an adversary proceeding is entered, including the entry of an order determining any post-judgment motions, provided that no appeal is pending, or if an appeal is taken, upon filing of the mandate, the Clerk may notify the party who offered exhibits and discovery materials in connection with such contested matter or adversary proceeding of the requirement that such exhibits must be removed within thirty (30) days. If such exhibits and discovery materials are not removed within thirty (30) days from the date of such notice, the Clerk may destroy them or make such other disposition as the Court may direct.

Notes of Advisory Committee

1997 Amendment

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment is effective on April 15, 1997.

This rule was formerly Local Rule 2.13. The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

1995 Amendment

The amendment to Local Rule 2.13(e) requires that additional copies of exhibits shall be made available for use by witnesses. The deletion of the word "period" after "trial" is stylistic; no substantive change is intended.

The provisions in Local Rule 2.13(h), which dealt with notification to counsel of the obligation to pick up exhibits and the consequence of the failure to do so, have been deleted as this is now dealt with exclusively by Local Rule 2.13(i).

For purposes of Local Rule 2.13(i), the term "post-judgment motion" shall mean a timely motion; (1) to amend or make additional findings of fact under Fed. R. Bankr. P. 7052, whether or not granting the motion would alter the judgment; (2) to alter or amend the judgment under Fed. R. Bankr. P. 9023; (3) for a new trial under Fed. R. Bankr. P. 9023; or (4) for relief under Fed. R. Bankr. P. 9024 if the motion is filed no later than ten (10) days after the entry of judgment.

These amendments were effective on February 15, 1995.